

JPL/BAO/JLL

Firm I.D. 33179

526-1-8

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF ILLINOIS
 EASTERN DIVISION

PLATINUMTEL COMMUNICATIONS,)
 LLC,)
)
 Plaintiff,)
)
 v.) Court No.: 08 CV 1062
)
 ZEFCOM, LLC d/b/a TELISPIRE,)
 TELISPIRE, INC., U.S. MOBILE, INC., EZ)
 STREAM, INC., QUICK COM, INC.,)
 QUICK COM II, INC., QUICK COM)
 CELLULAR CORPORATION, EZ COM,)
 CHICAGO, INC., d/b/a QUICK COM)
 CHICAGO, and RAMSEY NATOUR,)
 individually and d/b/a U.S. MOBILE, INC.,)
 QUICK COMM, INC. a/k/a QUICK COM,)
 INC., QUICK COM II, INC., QUICK COM)
 CELLULAR CORPORATION and/or)
 QUICK COM CHICAGO,)
)
 Defendants.)

PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Plaintiff, PLATINUMTEL COMMUNICATIONS, LLC, (hereinafter "PlatinumTel"), by its attorneys, John P. Lynch, Jr., Brian A. O'Gallagher, Jessica L. Lesniewski and CREMER, KOPON, SHAUGHNESSY & SPINA, LLC, and moves this Court for leave to file its First Amended Complaint for Injunctive and Other Relief, *instanter*, and in support thereof, states as follows:

1. PlatinumTel filed its Complaint for Injunctive and Other Relief on or about February 20, 2008.

2. Defendants, Zefcom, Inc., d/b/a as Telispire, Inc., and EZ Stream, Inc., have filed Motions to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b).

3. Defendants' Motions to Dismiss have not been briefed.

4. Plaintiff has attached a copy of its First Amended Complaint for Injunctive and Other Relief (hereinafter "First Amended Complaint"), as Exhibit "A", which it proposes to file in this matter.

5. Attached to Plaintiff's First Amended Complaint are the supporting Affidavits of Omar Aqel and Areej Malley, which were not previously filed in conjunction with Plaintiff's Complaint for Injunctive and Other Relief.

6. Federal Rule of Civil Procedure 15 states, "...leave shall be freely given when justice so requires."

WHEREFORE, Plaintiff, PLATINUMTEL COMMUNICATIONS, LLC, prays that this Honorable Court grant it leave to file its First Amended Complaint for Injunctive and Other Relief, *instanter*.

CREMER, KOPON, SHAUGHNESSY & SPINA, LLC.

By: /s/ John P. Lynch, Jr.
Attorneys for Plaintiff

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PROOF OF SERVICE

I, the undersigned attorney, certify that I filed this Proof of Service and the documents identified herein through the Court's ECM/CF document filing system, which will cause electronic notification of the filing to be sent to all counsel of record.

/s/ John P. Lynch, Jr.